

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

PATENT

Applicants: Günter FUHR, et al.

Application Serial No.: 10/532,017

Group Art Unit: 3744

Filed: April 20, 2005

Examiner: Mohammad M. Ali

Attorney Docket No.: B1180/20035

Confirmation No.: 5994

For: LOW-TEMPERATURE STORAGE OF SUSPENSION SAMPLES IN SUSPENDED
SAMPLE CHAMBERS

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated July 15, 2010, Applicants respectfully request reconsideration of this application in view of the following remarks. Claims 1-26 are pending with Claims 21-26 being withdrawn from consideration by the Examiner.

NON-OVIOUSNES

Smollett and Brooks

Claims 1-13 and 15-20 stand rejected under 35 U.S.C. §103(a) over Smollett, et al. (U.S. Patent No. 3,292,424) in view of Brooks (U.S. Publication No. 2003/0076203). This rejection is respectfully traversed for at least the reasons set forth below.

The Examiner asserts that Smollett discloses a cryostorage device (insulated outside walls 22), a data storage device (relay 69), a receptacle device (duct 77) and a sample chamber (coil 82) as recited in the claims. Then the Examiner admits that Smollett does not disclose a relay with data storage and relies upon Brooks for teaching the feature. The Examiner's